FYI

DIOCESE OF PENNSYLVANIA

Inter-Office Correspondence

Memo To: Lyman Ogilby Date: 12/7/72

From: Sue Hiatt

Subject: Bishop Kellogg and the canon issue for the House of Bishops

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As you know, Bishop Kellogg is chairman of the House of Bishops' Committee on Canons, and therefore charged with making whatever canon changes are necessary. Presumably he will be in touch with Bishop Carman who is chairman of the Constitution Committee which is charged with making necessary constitutional changes. There are several approaches to the problem as I see it. They are as follows:

1) To maintain that no changes are required either in constitution or canons.

This is Henry Rightor's position (see attached memo). He maintains that all that is required is "the approval of the province" and points out that Bishop Baker asked for no canon changes in Hong Kong. The crux of this position is that masculine pronouns may be interpreted generically in all the canons and that women can be ordained by "interpretation" of present language in Constitution, canons and prayerbook. If, having "approved" the ordination of women convention wants to "clean up" canonical and prayerbook language (ie. italicize "he" and "him" in the ordinal as in the baptismal rite), that's fine, but the ordination of women should not be delayed while this is done.

2) To maintain that a canonical change is necessary, but that Constitutional and prayerbook changes are not.

The simplest way to do this would be to revise Canon 26 (Title III) "of women in the diaconate" to read "of women in Holy Orders" and to incorporate the following internal changes:

Section 1 - substitute "...may be admitted to Holy Orders" for "may be ordered Deacon by any Bishop of the Church, subject to the provisions of this canon."

Section 4 - delete "except for the provisions relating to the Priesthood."

Section 5 - delete entire section

Section 7 - substitute "clergy" for "Deacons" in last sentence.

An alternative is to repeal Canon 26 entirely, and to go through the rest of Title III, italicizing masculine pronouns or changing them to he/she. (This strikes me as tedious in the extreme, but certainly possible if the canon committee feels it to be necessary.) Another alternative would be the single repeal of Canon 26 and the addition somewhere near the beginning of title III of a section, (or even a new canon) that plainly states that "persons of both sexes are considered eligible to apply for admission to Holy Orders in accordance with these canons." As for admission of women to the episcopate, the requirements in Title III canon 14, that evidence be produced of a bishop-elect's ordination to the diaconate and priesthood would seem to be sufficient once women are admitted to the priesthood.

3) To maintain that canonical, constitutional and prayerbook changes are necessary before women can be ordained to the priesthood.

The premise on which this contention is based is that masculine pronouns in Article VIII of the Constitution, the Ordinal and Title III of the canons cannot be interpreted generically and therefore must be changed before women can be ordained to priesthood. Article VIII uses the word "persons" throughout. The change in the

Constitution that admitted women to the House of Deputies was the substitution of the word "laypersons for laymen" in article I, section 4. I would offer two serious objections to this course of action.

a) If "he" and "his" and even "men" cannot be interpreted generically when they are used in the prayerbook, then Christian women are excluded in ways far more grevious than their exclusion from Holy Orders. For example, when we say of Christ in the creed "who for us men and for our salvation came down from heaven" are we saying he came only to save males? Or in the comfortable words should such phrases as "if any man sin, he has an advocate" or "this is a true saying, worthy of all men to be received" be interpreted to mean that women have no part in Christ's saving work? Certainly such archaic language should be changed in the course of the forthcoming prayerbook revision, but we can hardly assume that meanwhile women are excluded.

b) If we say now that women cannot be ordained to the priesthood under the provisions of Article VIII of the Constitution and in accordance with present canons, what is the status of those women who have been ordained in accordance with canon 26 during the past three years? Are their ordinations rendered invalid by the contention that all those pronouns cannot be interpreted generically? In addition to the cases cited in Henry Rightor's memo, we now have the precedent of at least 25 women deacons ordained under the clear understanding that all those pronouns were generic in nature. Indeed, Section 6 of Canon 26 seems to assume without question that the conformity of women to Article VIII as presently written is not only possible but required.

Now for my opinion (for whatever its worth and in case you hadn't guessed). My preference is for alternative #1, but I think it would be difficult to persuade the convention that no change is necessary. Hence I would go with one of the variants of alternative #2 or some other type of simple canon change I haven't thought of. I strongly feel that alternative #3 would be a bad mistake and that if the canon and constitution committees recommend any variant of it, we will not see women in the priesthood in this generation. I'm sure it will be urged in the cause of decency, order, legality, etc., but it's effect will be a delaying tactic that will drag the matter on indefinitely (it took 24 years to get women seated as deputies by going this route). I'm sure it will come up, but would far prefer to see it raised as an objection than to see it come from the Canon and Constitution Committee. That would put us on the defense rather than the offense for a change.

I would love to hear Bishop Kellogg's thoughts on all this and wonder if he is willing to be part of Bishop DeWitt's strategy meeting on January 15th (he'll be hearing directly from Bishop DeWitt about that) I'd also be more than happy to come see him in Dover if he thinks I can be of any help in this canonical process. Finally, I can supply him with more copies of H.R.'s memo if he thinks it would be helpful to his committee.